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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,899	04/14/2004	Young Chu	20040413	5659

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Young Chu
744 Rancho Circle
Fullerton, CA 92835

EXAMINER

SANDY, ROBERT JOHN

ART UNIT	PAPER NUMBER
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3677

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/823,899

Applicant(s)

CHU, YOUNG

Examiner

Robert J. Sandy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 7-10 is/are rejected.
- 7) ☒ Claim(s) 3-6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

Claims 3 and 8 are objected to because of the following informalities:

In claim 3, line 2, the phrase "over top portion" should be changed to read as - - over a top portion" to be grammatically correct.

In claim 8, line 3, the phrase "over top" should be changed to read as - - over a top" to be grammatically correct.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Ostolaza (U. S. Patent No. 3,104,436). Ostolaza ('436) discloses a safety buckle (10) comprising: a substantially flat elongated body comprising a first distal end (14) opposite to a second distal end (14), the elongated body having a front surface and a back surface such that the first and second distal ends are bent backwards to form an approximately obtuse angle (as shown in Fig. 5) with the back surface; and first, second and third slots (115, 16, 16), respectively formed in the elongated body, wherein the first, second and third slots are approximately parallel in direction to each other, so that a first blade (17) is formed between the first and second slots, and a second blade (17) is formed between the second and third slots, wherein the second and third slots are configured to receive a first end of a strap by way the first end being tied around the second blade, and wherein the first and second slots are configured to receive a second opposite end of the strap by way of the second end being wrapped around the first blade (see Fig. 2); and (concerning claim 2) wherein the third slot is further configured to receive the second end of the strap after the second end is wrapped around the first blade (see Fig. 2).

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Claims 7-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Fredrickson et al. (U. S. Patent No. 4,262,406). Fredrickson et al. ('406) discloses a safety buckle (50, see Figs. 9 and 10) comprising: a substantially flat elongated body comprising a first distal end (73) opposite to a second distal end (74), the elongated body having a front surface and a back surface; and first, second and third elongated slots (62, 64, 66), respectively formed in the elongated body, wherein the first, second and third elongated slots are approximately parallel in direction to each other, so that a first blade (75) is formed between the first and second slots, and a second blade (76) is formed between the second and third slots, wherein the second and third elongated slots are configured to receive a first end of a strap by way the first end being tied around the second blade, and wherein the first and second elongated slots are configured to receive a second opposite end of the strap by way of the second end being wrapped around the first blade;

(concerning claim 8) the third elongated slot is further configured to receive the second end of the strap over the second end is wrapped around the first blade, and wherein the second end of the strap is wrapped over top portion of the first and second elongated slots before it is received by the third elongated slot (see Fig. 10);

(concerning claim 9) the first distal end acts as a locking point on the second end of the strap to apply pressure and limit movement of the strap within the first and second elongated slots, and wherein the second end of the strap over being received by the third elongated slot engages the second distal end (see Fig. 10);

(concerning claim 10) the second distal end acts as a locking point on the second end of the strap to apply pressure and limit movement of the strap within the third elongated slot (see Fig. 10).

Allowable Subject Matter

Claims 3-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: Regarding claims 3-6, claim 3 requires the combination of the safety buckle of claims 1 and 2,

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and a strap, where the strap is positively required in the combination wherein "the second end of the strap is wrapped over a top portion of the first and second slots before it is received by the third slot.". The prior art of record does not suggest reconfiguring the strap of Ostolaza (U. S. Patent No. 3,104,436) in the manner required of claim 3. Furthermore, the prior art of record does not reasonably suggest having the second end of the strap to be wrapped over a top portion of the first and second slots before it is received by the third slot, since this configuration would not allow the strap of Ostolaza ('436) to be released by raising one of the lips of the buckle in the manner shown in Fig. 3.

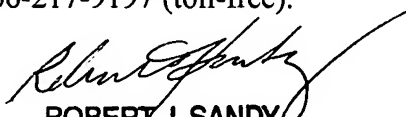
Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert J. Sandy whose telephone number is 571-272-7073. The examiner can normally be reached on M-F (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J.J. Swann can be reached on 571-272-7075. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ROBERT J. SANDY
PRIMARY EXAMINER

Robert J. Sandy
Primary Examiner
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